

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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UNITED STATES OF AMERICA,

Plaintiff,

Case No. 1:19-cr-00025

v.

Hon. Gordon J. Quist

MOHAMED SALAT HAJI,

Defendant.

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**ORDER**

This matter is before the Court on defense counsel's unopposed motion for psychiatric exam (ECF No. 179). The Court held a hearing on yesterday's date at which defendant was present with counsel. Having considered the parties' oral and written submissions, and for the reasons stated on the record, the motion is **GRANTED**.

Based on testimony and reports of defendant's behavior, the nature of the offense, and the information in the Pretrial Services Report (ECF No. 15 (Restricted)), the Court finds that there is reasonable cause to believe that defendant may be suffering from a mental disease or defect that is rendering him unable either to understand the nature and consequences of the proceedings against him or to properly assist in his defense. Accordingly, the Court shall **ORDER** that a hearing be conducted to determine the defendant's mental competency. Accordingly,

**IT IS ORDERED** that a hearing be conducted to determine defendant's mental competency. *See* 18 U.S.C. § 4241(a); FED. R. CRIM. P. 12.2(c)(1)(A).

**IT IS FURTHER ORDERED** that a psychiatric or psychological examination of defendant be conducted within 90 days pursuant to 18 U.S.C. §§ 4241(b) and 4242(a), and that a psychiatric report be filed in accordance with 18 U.S.C. § 4247(c).

**IT IS FURTHER ORDERED** that defendant is committed to the custody of the Attorney General for a period not to exceed 45 days for placement in an appropriate facility for evaluation by a qualified examiner within the meaning of 18 U.S.C. § 4241. As soon as the Bureau of Prisons has designated an appropriate facility, defendant will be ordered transported by the U.S. Marshal to the place of examination or hospitalization.

**IT IS FURTHER ORDERED** that the evaluation shall include extensive objective testing, and it shall evaluate both whether defendant is competent to stand trial and whether defendant's mental condition might be improved through mental health treatment, including prescription medication; the examination shall also determine whether defendant was insane at the time of the offense charged. Specifically, defense counsel is concerned that defendant may have suffered head trauma while being held at the Newaygo County Jail. The evaluation shall include measures to address this possibility.

**IT IS FURTHER ORDERED** that the report shall be submitted to the Court and will be filed with access restricted to the Court and the parties.

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**IT IS FURTHER ORDERED** that, upon return of the report, a competency hearing shall be promptly scheduled by the Court's case manager.

**IT IS FURTHER ORDERED** that the professional preparing the evaluation shall make him/herself available for testimony at the competency hearing.

**FINALLY, IT IS ORDERED** that Pretrial Services is authorized to release the Pretrial Services Report (ECF No. 15 (Restricted)) to the Federal Bureau of Prisons. That report shall remain confidential and the contents shall not be disclosed to anyone other than those who are participating in the evaluation of defendant.

**SO ORDERED**

Date: August 25, 2020

/s/ Phillip J. Green  
PHILLIP J. GREEN  
United States Magistrate Judge

